

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
LUIS COLON,)
)
) Plaintiff,)
)
) -against-)
)
) THE CITY OF NEW YORK,)
)
) MICHAEL RAPIEJKO, and)
)
) JOHN and JANE DOES,)
)
) Defendants.)
-----X

AFFIDAVIT OF SERVICE
08 CV 4453 (CM)(RLE)

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, Sarah M. Fajardo, being duly sworn, depose and say: that I am over eighteen years of age and am employed by Michael L. Spiegel, Esq., with offices located at 111 Broadway, Suite 1305, New York, NY 10006.

On July 23, 2008, I served a copy of the within Summons and Complaint on:

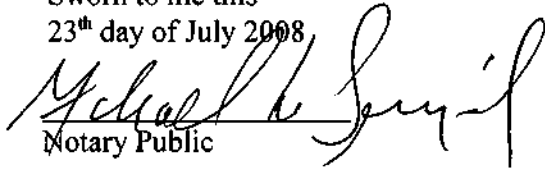
Michael Rapiejko
c/o Legal Bureau Document Production Unit
New York City Police Department
One Police Plaza
New York, NY 10038

by delivering a true copy thereof personally to Tara Lupoli, attorney, a person of suitable age and discretion authorized to accept service for the above person at the above location.

On July 23, 2008, I mailed a copy of the within Summons and Complaint to defendant Rapiejko. The documents were sent to the same address where the documents had been served. The envelope was marked "Personal and Confidential" and without any indication that communications were from an attorney or concerned any action against the defendant. The envelope was placed on the reception desk for pick-up by an employee of the United States Postal Service and was taken by said employee from the desk at 111 Broadway, Suite 1305, New York, NY.


Sarah M. Fajardo

Sworn to me this
23th day of July 2008


Notary Public

MICHAEL L. SPIEGEL
Notary Public, State of New York
No. 02SP5072155
Qualified in New York County
Commission Expires Jan. 27, 2011